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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,861	05/01/2001	Yoshihiro Konaka	P/1071-1322	4990

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EXAMINER

KWOK, HELEN C

ART UNIT	PAPER NUMBER
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2856

DATE MAILED: 06/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/846,861

Applicant(s)

Konaka et al.

Examiner

H. Kwok

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 3, lines 3-4 and 6, the phrase “the Coriolis force direction” lacks antecedent basis when one chooses this claim to depend on claim 1. In line 7, the phrase “the Coriolis force” lacks antecedent basis when one chooses this claim to depend on claim 1. In line 7, the phrase “the angular velocity” lacks antecedent basis.

In claim 4, line 1, the phrase “said Coriolis force” lacks antecedent basis. In line 3, the phrase “said Coriolis force” lacks antecedent basis. In line 4, the phrase “said Coriolis force direction vibrating detection unit” lacks antecedent basis.

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***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,240,780 (Negoro et al.).

Negoro et al. discloses an angular velocity sensor comprising, as illustrated in Figures 1-8, a vibrating body 1; a driving unit 20 for causing the vibrating body to vibrate in a predetermined vibrating direction; and a driving monitoring unit 21 provided in a barycentric region of the vibrating body for detecting vibration displacement in a driving direction of the vibrating body. Furthermore, Negoro et al. discloses the vibrating body vibrating in a Coriolis force direction that is perpendicular to the driving direction such that the arrangement of the vibrating body has a double-frame construction as presently claimed. (See, column 4, line 54 to column 7, line 67).

6. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,134,961 (Touge et al.)

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Touge et al. discloses an angular velocity sensor comprising, as illustrated in Figures 1-5, a vibrating body; a driving unit 5,6 for causing the vibrating body to vibrate in a predetermined vibrating direction; and a driving monitoring unit 15,16 provided in a barycentric region of the vibrating body for detecting vibration displacement in a driving direction of the vibrating body. Furthermore, Negoro et al. discloses the vibrating body vibrating in a Coriolis force direction that is perpendicular to the driving direction such that the arrangement of the vibrating body has a double-frame construction as presently claimed. (See, column 6, line 18 to column 7, line 67)..

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references cited are related to angular velocity sensor having driving detection electrodes for measuring vibration displacement.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen Kwok whose telephone number is (703) 308-8149.

  
Helen C. Kwok  
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hck  
June 25, 2002